

Letter to Editor,
East Troy Times
July 16, 2010

Old Issues, Stale Complaints

It is unfortunate that the rants over old issues overshadow what is important today. Both the park trail and Mr. Kasun's unfortunate circumstances have been discussed at many town board meetings, meetings at which Mrs. Hampel and Mr. Stoesser rarely attended prior to Stoesser's election to the town board. They dig up past records and draw conclusions on what they want to see or write narrow opinions about what they want you to see on an issue.

Mrs. Hampel reports in last week's newspaper that there is "a misconception that only two families sued the town." She further states, "Other home owners did not have the financial resources to join them."

The simple reality is, there were only two homeowners that filed a suit. The other homeowners who shared joint interest in the park trail disagreed with their position and supported the town board throughout many public town board meetings.

Hampel further states that the two homeowners signed the settlement agreement to avoid legal fees beyond \$10,000. She wrote that their attorney added a property condemnation option into the settlement because he claimed, "the town would not pursue this route." The town board did not seek condemnation to be part of the settlement, but considered the offer as a last resort to resolve the dispute among neighbors. That option never materialized.

In the same issue, Mr. Stoesser writes, "It's my understanding the Beulah Lake subdivision families spent almost \$100,000 in the past 12 years defending themselves against the town and eminent domain." This contradicts Hampel's statement of \$10,000.

Furthermore, the lawsuit began around 2003 and ended in 2005, certainly much shorter than Mr. Stoesser's misunderstanding of a 12-year ordeal.

Mr. Stoesser asks that you see his "Kasun documents" as posted on the Internet. I hope that you do look at it. This is another old issue, perhaps spanning as long as 25 years to resolve. Mr. Stoesser had plenty of opportunities to speak on the issue while it was being discussed at town meetings if he had been so concerned.

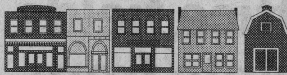
The comments in the blog by Mr. Stoesser are characteristic of his daily misrepresentations about other town issues. He is already in litigation for misrepresentation on one of his blogs. This one lacks credibility as well.

For once I agree with Mr. Stoesser when he warns that history may repeat itself. Let's not have another Town Chairman like him with, in his words, "lots of talk and little substance."

We wasted a whole year ruminating about yesteryear's issues. Let's get back to good government and move forward!

Submitted by,

Clayton Montez, MA
Town of East Troy Supervisor
Phone: (262) 684-9699
E-mail: tetsupervisor@gmail.com



OPINION FORUM

Letters to the editor

Myth vs. fact

Apparently Town Taxpayers for Accountable Government have put out an informational flyer. I feel the need to respond to some of the items that they contend are facts.

One fact they don't have straight is the Town-wide survey from 1995. According to Clayton Montez's deposition in the [park trail] lawsuit on April 6, 2004, there were 300 surveys sent. I did not realize East Troy only had 300 households in 1995. Pursuant to his statements, only 50 were returned and he could not remember how many people wanted to use the park as a trail. In 1995, the developer still owned all of those lots.

Another fact that they have a misconception about is that only two families sued the town and were the only ones interested in stopping the path. That is not true. The other homeowners did not have the financial resources available to join in the lawsuit with us. If anyone has built a home, you know how quickly your financial resources run out. Fortunately we did have the ability to pursue the action. The action was filed against the town and brought in the developer and Pat Hudec later, not the other way around.

Another fact with regard to the majority of the subdivision owners encouraging the town to pursue the trail, that support came from the other half of the subdivision across Highway J on Wolf Way. Maybe we should have pursued the Bridal Path (for horses) that was on their plat and see if they would have supported that.

The developer did not draft anything on our "deeds." The trail was on the plat of the subdivision with verbiage that it was for the benefit of the Homeowners Association and they had the right to make it a path or not. If that was not correct, maybe Clayton Montez as Town Chairman at the time, should have not signed the plat. I don't know about you, but I certainly would not sign something I did not read or understand what I was doing.

Both Joe Klarkowski and Clayton Montez seem to have forgotten that the town had voted overwhelmingly to abandon efforts to continue with the Park Trail. One fact that is true is that the settlement agreement did leave one option for the property to be taken through condemnation. That was the only way the town would sign the settlement agreement. We signed because at this point any further legal fees would have been our responsibility and we already had spent around \$10,000 of our personal monies. Our attorney felt the town would not pursue this route, as it would be quite an expense for them to purchase our properties to complete this trail.

If anyone would like they can examine the entire case at the Walworth County Courthouse. You don't have to jump through any hoops either to examine the case, unlike if you have requested any records from our town.

*Kim Hampel
East Troy*

Editor's note: This letter has been edited for length.

Lots of talk. Little substance.

For weeks, I've been seeing political phrases such as "statements that have no basis in fact" and "inflammatory and outrageous." But what I haven't seen coming out of the old and the current Town of East Troy politicians are facts.

In recent years, I studied the Kasun case. I also studied the events leading to the "Park Trail" Eminent Domain Action and I found some very chilling similarities.

It seems that a Town of East Troy process to accomplish a desired goal is that of wearing the targeted party down both financially and emotionally (no matter how long it takes). The Town has a \$2 million dollar a year budget, free legal assistance and access to assorted government agencies. Yes, this is a lot of power.

It's my understanding the Beulah Lake

Farms subdivision families spent almost \$100,000 in the past 12 years defending themselves against the town and eminent domain. However, Mr. Kasun was on social security and 80 years old. His ability to fight was limited to staying on his land and posting signs.

Although the town has disposed of Mr. Kasun, the families of the subdivision are still here. All anyone has to do is to ask them about the 12-year harassment process that they were put through. As far as facts, I have posted a significant number of Kasun documents at johnstoesser.com. These documents become important when it comes to preventing history from repeating itself a third time. Thankfully, as a town, we stopped the "Park Trail" with a vote of 600 to 156.

John Stoesser
Chairman, Town of East Troy

Town residents, not the board evicted Kasun

I read the Letter to the Editor in the East Troy Times about the Tom Kasun property on Beach Road. I do not believe that the Town Board was at fault for removing Tom Kasun from the property.

If anyone was at fault it was me. I came to the Town Board meetings complaining about the Kasun property being a slum area. The Town Chairman advised me that I needed a petition of Town residents in order to clean up the property. I went down Beach Road with the petition, which included the Kasun & Taylor property.

I gathered signatures from Town residents and everyone signed the petition, with the exception of three residents that were Taylor friends. I then took the petition to Walworth County and presented it to

Attorney Michael Cotter in an attempt to clean up the property.

So in my opinion it was not the Town Board that evicted Tom Kasun from his property, it was the Town residents that presented the Town with a petition to clean up the property.

The Town Board and Walworth County had no choice but to raze the property because Tom Kasun would not cooperate with the clean up. The Town and Walworth County gave Tom Kasun more than enough opportunity to work with them on the clean up, but he choose not to. I attended Town meetings at all times on this issue and that is on record. Anyone that wants to look at those meetings is able to do so at the Town Hall.

*John Rogers
East Troy*

Supervisor touts experience

Recently, I have been accused of "using my elected position to act as an ad hoc lobbyist for various Wisconsin interest groups, that I engage in political activities as the 'President' of the Walworth County Unit of the Wisconsin Towns Association, and that I write political articles."

I confess it is true. For the last 10 years I've served on the Board of Directors for the Urban Towns Committee, which is the lobbying arm of the Wisconsin Towns Association. There are approximately 1,250 Wisconsin towns, including East Troy, that are members of the WTA. The purpose of the WTA is to coordinate and educate all town elected officers on their roles as leaders of their communities and to carry out the directives of the State Statutes. As chairman of the Walworth County Unit of WTA for the past 12 years, I coordinate WTA activities with 16 boards in our county.

I am not a registered lobbyist, but I collaborate with fellow UTC Board of Directors, as well as with other town elected officers to determine the needs of towns throughout the state and visit our legislators on the targeted issues.

Recently, the governor passed into law three important issues that the UTC championed for over three years: 1) Assembly Bill 172 stopped cities and

villages from creating town islands through non-contiguous annexation. This law benefits our town because the town's two neighboring villages had the potential to take any land away from town without legal contest. 2) Assembly Bill 260 was a milestone victory for towns because it stopped villages and cities from effectively enforcing their own zoning on town properties. 3) Senate Bill 601 clarified the comprehensive planning laws to provide more stability and continuity in town land use planning.

Having written for several publications, and published over 150 book reviews, I found the opportunity to write on political issues at the Madison Public Policy Examiner a natural transition. The venue dovetails with the WTA's goals to inform Wisconsin public officials and citizens about trends and issues developing in Madison.

I am grateful for having the opportunity to serve our community and the state in my various political capacities these past 18 years. Your continued support has allowed me to represent local democracy amongst various levels of government to help make our town a better place to live.

Clayton Montez, MA

Town of East Troy Supervisor

Editor's note: This letter has been edited for length.